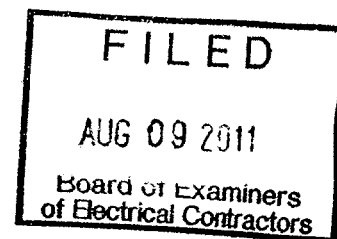


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

IN THE MATTER OF

FREDDY IZQUIREDO
t/a SANTANA ELECTRIC
License and Business Permit #8462

TO PRACTICE ELECTRICAL
CONTRACTING IN THE STATE OF
NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors ("the Board") upon receipt of information which the Board has reviewed, and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Freddy Izquirdo ("respondent") is a licensed electrical contractor in the State of New Jersey, and has been a licensee at all times relevant hereto. Respondent has been issued business permit #8462 under the name "Santana Electric" and has been engaging in the practice of electrical contracting under that business permit at all times relevant hereto.

2. The Board received a complaint from the plumbing sub-code official for the city of Union City, New Jersey. According to the complaint, unlicensed electricians are taking out electrical contracting permits under the name "Santana Electric". According to the complaint, "Santana Electric" is taking out approximately 400-500 permits per year in Union City. The sub-code official also estimated that "Santana Electric" is signing and sealing permits for at least twenty-five (25) different unlicensed electricians. Finally, the sub-code official asserted that there

are three different pressure seals being utilized with the name "Santana Electric".

3. In support of the complaint, the sub-code official provided a photocopy of one of the three pressure seals utilized by respondent. The photocopy of the seal press indicates "Santana Electric" and bears permit # 8462. However, the photocopy provided by the sub-code official is not a pressure seal that has been issued by the Board.

4. Also accompanying the complaint was a copy of a letter concerning an inspection that respondent conducted in Union City, New Jersey. The letter contains a copy of a business card which reflects "A. Antonio Menendez" t/a "Jansey Electrical". The Board's office files do not reflect the licensure of "A. Antonio Menendez" or "Jansey Electrical" to engage in the practice or business of electrical contracting in the State of New Jersey.

5. In response to the complaint, respondent provided a letter to the Board, dated October 8, 2008. According to respondent, the original pressure seal issued by the Board was misplaced and he therefore "sent" to get a replacement seal. This is the reason why the seal does not match the seal issued by the Board. However, respondent located the original seal and is now using it to seal permit applications.

6. Respondent also indicated that he has no business relationship with "A. Antonio Menendez" or with "Jansey Electrical". Rather, "Jansey Electric" was the prior contractor hired by the client before contracting with respondent's company.

7. After reviewing respondent's October 8, 2008 letter, the Board sent a letter to respondent dated March 12, 2009. In the letter, the Board requested that respondent emboss the pressure seal that respondent is currently utilizing and send to the Board all pressure seals that respondent had made that were not issued by the Board. Finally, respondent was asked to provide copies of his continuing education course certificates totaling 34 hours for the 2006 to 2009 renewal. In response, respondent provided a letter to the Board dated March 21, 2009. The letter was accompanied by an embossment of the board issued pressure seal he is currently utilizing. However, respondent failed to provide the pressure seals that he had fabricated. Also, respondent did not provide any continuing education certificates for the 2006-2009 renewal period.

CONCLUSIONS OF LAW

1. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.A.C. 13:45C-1.2, in that respondent has failed to cooperate with the Board by failing to return all fabricated pressure seals.
2. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:5A-13.1 and N.J.A.C. 13:31-1.7(d), in that respondent failed to document completion of the required twenty-four hours of continuing education in practice related subjects for the 2006-2009 triennial period.
3. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:5A-13.1 and N.J.A.C. 13:31-1.7(b), in that respondent failed to document completion of the required nine hours of continuing education in the most recent edition of the National Electrical Code, and failed to document completion of one hour of continuing education on applicable State statutes and rules for the 2006-2009 triennial period. The Board deems the failure to document as failure to complete the required continuing education.
4. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.A.C. 13:31-1.7(f), in that respondent failed to maintain his continuing education documentation, for the 2006-2009 triennial period, for the required six year period.
5. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.A.C. 13:31-1.5(b), in that respondent failed to include his permit number on the letter head of the correspondence he sent to the Board.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on March 2, 2011, provisionally imposing a public reprimand on respondent, assessing an aggregate \$7,200.00 civil penalty, provisionally requiring respondent to complete all missing continuing education hours for the 2006-2009 triennial period within ninety (90) days from the entry of any Final Order, and provisionally requiring respondent to forward all pressure seals, that were

fabricated by respondent and not issued by the Board, to the Board within ten (10) days from the entry of any Final Order.

A copy of the Provisional Order was forwarded to respondent at the last known address on file with the Board by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Following the entry and service of the Provisional Order of Discipline, respondent sent a check in the amount of \$7,200.00, the total amount of the civil penalties assessed. Respondent did not provide a written request for modification or dismissal of the provisional Findings of Fact or Conclusions of Law. As a result, the Board deems respondent's payment of the aggregate civil payment, as well as his failure to provide a written request for modification or dismissal of the Provisional Order, as respondent not contesting the Board's findings. The Board is hereby finalizing the Provisional Order of Discipline.

ACCORDINGLY, IT IS on this 9th day of August, 2011,
ORDERED that:

1. Respondent is hereby reprimanded for violations of N.J.A.C. 13:45C-1.2; N.J.S.A. 45:5A-13.1; N.J.A.C. 13:31-1.7(b),(d) & (f) and N.J.A.C. 13:31-1.5(b).
2. Respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$4,200.00 in that he has failed to cooperate with the Board by failing to return all fabricated pressure seals in violation of N.J.A.C. 13:45C-1.2.
3. Respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$1,500.00 in that respondent failed to complete the required twenty-four hours of continuing education in practice related subjects for the 2006-2009 triennial period in violation of N.J.S.A.

45:5A-13.1 and N.J.A.C. 13:31-1.7(d).

4. Respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$1,500.00 in that respondent failed to complete the required nine hours of continuing education in the most recent edition of the National Electrical Code, and failed to complete one hour of continuing education on applicable State statutes and rules for the 2006-2009 triennial period in violation of N.J.S.A. 45:5A-13.1 and N.J.A.C. 13:31-1.7(b).

5. Respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$100.00 in that respondent failed to maintain his continuing education documentation, for the 2006-2009 triennial period, for the required six year period in violation of N.J.A.C. 13:31-1.7(f).

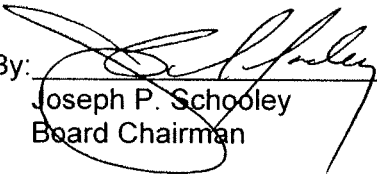
6. Respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$100.00 in that respondent failed to include his permit number on the letter head of the correspondence he sent to the Board in violation of N.J.A.C. 13:31-1.5(b). It is acknowledged that payment of the civil penalties totaling seven thousand, two hundred dollars (\$7,200.00) was previously submitted to the Executive Director, Board of Examiners of Electrical Contractors, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101, prior to the filing of this Final Order of Discipline.

7. Respondent is required, pursuant to N.J.S.A. 45:1-22, to complete all missing continuing education course hours for the 2006-2009 triennial period, and provide the Board with copies of the course completion certificates, within ninety (90) days from the entry date of this Final Order of Discipline. In the event respondent fails to complete the missing continuing education course hours, and forward copies of the course completion certificates, within the ninety (90) day period, the Board reserves the right to take additional disciplinary action.

8. Respondent is required, pursuant to N.J.S.A. 45:1-22, to forward all pressure seals, that were fabricated by respondent and not issued by the Board, to the Board within ten (10) days from the entry date of this Final Order of Discipline. In the event respondent fails to forward all pressure seals that were fabricated by respondent within the ten (10) day period, the Board reserves the right to take further disciplinary action.

9. Nothing in this order precludes the Board from taking disciplinary action regarding the conduct detailed in paragraphs #2, #3, #4 and #6 as it relates to the possible aiding and abetting of the unlicensed practice of electrical contracting.

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

By:  _____
Joseph P. Schooley
Board Chairman